

FORM 26. Docketing Statement

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July 2020

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

DOCKETING STATEMENT

Case Number: 2023-1967

Short Case Caption: Xerox Corp. v. Snap Inc.

Filing Party/Entity: Snap Inc.

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
Patent Trial and Appeal Brd.	IPR2021-00986	Inter Partes Review

Relief sought on appeal: ☐ None/Not Applicable

Affirmance of the Patent Trial and Appeal Board's determination that claims 1-20, and proposed substitute claims 21-40, of U.S. Patent No. 9,208,439 are unpatentable.

Relief awarded below (if damages, specify): ☐ None/Not Applicable

Determination that claims 1-20, and proposed substitute claims 21-40, of U.S. Patent No. 9,208,439 are unpatentable

Briefly describe the judgment/order appealed from:

In its final written decision, the Patent Trial and Appeal Board determined that claims 1-20 of U.S. Patent No. 9,208,439 are unpatentable. The Board also determined proposed substitute claims 21-40 unpatentable.

Nature of judgment (select one):

Date of judgment: 3/22/23

☒ Final Judgment, 28 USC § 1295☐ Rule 54(b)☐ Interlocutory Order (specify type) _____☐ Other (explain) _____

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Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☐ None/Not Applicable

Xerox Corp. v. X Corp. 23-1968 (Fed. Cir.) (also involving U.S. Patent No. 9,208,439)
Xerox Corp. v. Facebook, Inc. 23-1969 (Fed. Cir.) (also involving U.S. Patent No. 9,208,439)

Issues to be raised on appeal: ☐ None/Not Applicable

Whether the Patent Office correctly determined claims 1-20, and proposed substitute claims 21-40, of U.S. Patent No. 9,208,439 are unpatentable.

Have there been discussions with other parties relating to settlement of this case?

☐ Yes ☒ No

If "yes," when were the last such discussions?

- ☐ Before the case was filed below
- ☐ During the pendency of the case below
- ☐ Following the judgment/order appealed from

If "yes," were the settlement discussions mediated? ☐ Yes ☐ No

If they were mediated, by whom?

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Explain.

Xerox is currently asserting multiple patents against Snap in the Central District of California, including the patent at issue in this appeal. Snap does not believe discussions solely in context of this IPR would be productive.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

Date: 6/15/23 Signature: /s/ Yar R. Chaikovsky

Name: Yar R. Chaikovslly